

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**No. 16-cv-1067 MCA/SMV
14-cr-0931 MCA**

MATTHEW J. HOLMES,

Defendant.

ORDER

THIS MATTER is before the Court sua sponte under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence [CV Doc. 1], [CR Doc. 69]. The Court will direct the United States to respond to Defendant's motion.

IT IS HEREBY ORDERED that the Clerk forward to the United States of America a copy of Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence and supporting papers and exhibits, if any, together with a copy of this Order.

IT IS FURTHER ORDERED that no later than **November 4, 2016**, the United States must respond to Defendant's § 2255 motion.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge